

OPINION 1108
 CONSERVATION OF *MARSTONIA* BAKER, 1926 AND OF
AMNICOLA LUSTRICA PILSBRY, 1890
 (MOLLUSCA: GASTROPODA)

RULING.- (1) Under the plenary powers, the specific name *lustrica* Say, 1821, as published in the binomen *Paludina lustrica*, is hereby suppressed for the purposes of both the Law of Priority and the Law of Homonymy.

(2) The following names are hereby placed on the Official List of Generic Names in Zoology with the Name Numbers specified:

- (a) *Amnicola* Gould & Haldeman, 1840 (gender: feminine), type-species, by subsequent designation by Herrmannsen, 1846, *Paludina porata* Say, 1821 (Name Number 2061);
- (b) *Marstonia* Baker, 1926 (gender: feminine), type-species, by original designation, *Amnicola lustrica* Pilsbry, 1890 (Name Number 2062).

(3) The following names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *limosa* Say, 1817, as published in the binomen *Paludina limosa* (Name Number 2640);
- (b) *lustrica* Pilsbry, 1890, as published in the binomen *Amnicola lustrica* (specific name of type-species of *Marstonia* Baker, 1926) (Name Number 2641).

(4) The generic name *Euamnicola* Fischer & Crosse, 1891 (a junior objective synonym of *Amnicola* Gould & Haldeman, 1840) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Number 2091.

(5) The following names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

- (a) *lustrica* Say, 1821, as published in the binomen *Amnicola lustrica*, and as suppressed under the plenary powers in (1) above (Name Number 1037);
- (b) *lacustris* Pilsbry, 1891, as published in the binomen *Amnicola lacustris* (an erroneous subsequent spelling or a junior objective synonym of *Amnicola lustrica* Pilsbry, 1890) (Name Number 1038).

(6) The name AMNICOLIDAE Tryon, 1862 (type-genus *Amnicola* Gould & Haldeman, 1840) is hereby placed on the

Official List of Family-Group Names in Zoology with the Name Number 489.

HISTORY OF THE CASE Z.N.(S.) 730

An application for the suppression of *Paludina lustrica* Say, 1821, was first received from Dr H.A. Pilsbry (*Academy of Natural Sciences, Philadelphia*) in December 1952. A later application prepared by Dr H. Burrington Baker (*Haverton, Pennsylvania, U.S.A.*), was sent to the printer on 8 December 1960 and published on 14 April 1961 in *Bull. zool. Nom.* vol. 18: 146–148.

Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the prescribed serials (Constitution, Art. 12b) and to two malacological serials.

The application was opposed by Dr Dwight W. Taylor (*U.S. Geological Survey*) and Dr Wendell O. Gregg (*Los Angeles, California*), but supported by Dr H.B. Herrington (*Westbrook, Ontario, Canada*), Dr A.H. Clarke (*National Museum of Natural Sciences, Ottawa, Canada*) and Dr Fred G. Thompson (*Florida State Museum*). Dr Thompson's comment, which was the only one to add new information to the application, was published in *Bull.* vol. 31: 170–171, December 1974.

DECISION OF THE COMMISSION

On 22 November 1977 the members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (77)17 for or against the proposals published in *Bull. zool. Nom.* vol. 18: 147–148, modified so as to provide for the suppression of *Paludina lustrica* Say, 1821 for the purposes of both the Law of Priority and the Law of Homonymy. At the close of the voting period on 22 February 1978 the state of the voting was as follows:

Affirmative votes - fourteen (14) received in the following order: Melville, Eisenmann, Alvarado, Vokes, Sabrosky, Tortonese, Welch, Corliss, Starobogatov, Dupuis, Heppell, Bayer, Ride, Nye

Abstention - Cogger

Negative votes - Holthuis.

Late affirmative votes were received from Habe, Brinck and Mroczkowski. Dr Bernardi was on leave of absence. Voting papers were not returned by Binder, Kraus and Willink.

The following comments were sent in by members of the Commission with their voting papers:

Holthuis: "Evidently the taxonomy of this group is still very unsettled. Therefore it is unwise for the Commission to start to meddle with its nomenclature. Taxonomists should choose a neotype for *Paludina lustrica* Say that causes least harm (why not a

specimen of *Amnicola lustrica* Pilsbry?).”

Cogger: “I abstain from voting. I do not believe that either side of the case has presented arguments sufficiently convincing to justify either a clear affirmative or negative vote. Indeed, the Commission is being requested to use its powers in nomenclatural matters to resolve what is primarily a taxonomic problem which should be resolved by taxonomists. If *A. lustrica* Say is a *nomen dubium*, no further action is needed.”

Heppell: “It is not clear to me from the Code that a suppressed name automatically loses its type status. I think the designation of *Paludina lustrica* as the type of *Amnicola* by Haldeman, 1840, should also have been suppressed under the plenary powers and the designation of *P. porata* by Herrmannsen, 1846, formally validated. The nomenclatural status of *Amnicola* Gould & Haldeman, 1840, is uncertain. It seems to me to be a monotypic genus whose sole species, *lustrica* Say, is suppressed and possibly not even congeneric with *porata* Say. Surely *Amnicola* Gould & Haldeman, 1840, should be suppressed so as not to preoccupy *Amnicola* Gould, 1841, with type *P. porata*.”

ORIGINAL REFERENCES

The following are the original references for the names placed on Official Lists and an Official Index by the ruling given in the present Opinion:

Amnicola Gould & Haldeman, 1840, in Haldeman, *Monogr.*

Limniades N. America, vol. 1: 3

AMNICOLIDAE Tryon, 1862, *Proc. Acad. nat. Sci. Philadelphia*, vol. 14: 452

Euamnicola Fischer & Crosse, 1891, *Mission sci. Mexique Amérique centr.*, Zool. part 7 vol. 2: 261

lacustris, *Amnicola*, Pilsbry, 1891, *Nautilus*, vol. 5: iii of Index
lustrica, *Paludina*, Say, 1821, *J. Acad. nat. Sci. Philadelphia*, vol. 2: 75

lustrica, *Amnicola*, Pilsbry, 1890, *Nautilus*, vol. 4(5): 53
Marstonia F.C. Baker, 1926, *Trans. Wisconsin Acad. Sci. Arts*, vol. 22: 195.

CERTIFICATE

I certify that the votes cast on Voting Paper (77)17 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No 1108.

R.V. MELVILLE
Secretary

International Commission on Zoological Nomenclature
London 10 April 1978